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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	
	)	CR S-04-156 EJG
Plaintiff,	)	
	)	
v.	)	<b>GOVERNMENT'S MOTION TO DISMISS</b>
	)	<b>PURSUANT TO FEDERAL RULE OF</b>
STEPHEN STEWART,	)	<b>CRIMINAL PROCEDURE 48</b>
	)	
	)	
Defendant.	)	

The United States, by and through its attorneys,  
McGregor W. Scott, United States Attorney for the Eastern  
District of California, and Kymberly A. Smith, Assistant  
U.S. Attorney for said district, hereby moves to dismiss  
without prejudice the Indictment currently pending against  
the defendant, STEPHEN STEWART, pursuant to Rule 48 of the  
Federal Rules of Criminal Procedure.

DATED: October 27, 2005 Respectfully Submitted,  
McGREGOR W. SCOTT  
United States Attorney

By: /s/ Kymberly A. Smith  
KYMBERLY A. SMITH  
Assistant U.S. Attorney

IT IS SO ORDERED:

/s/ Edward J. Garcia  
HONORABLE EDWARD J. GARCIA  
UNITED STATES DISTRICT COURT JUDGE